

**COUNCIL FLOOR**

**LEGISLATION AMENDMENT FORM**

**DATE: AUGUST 19, 2013**

**COUNCIL MEMBER: HOWARD SHOOK**

**LEGISLATION I.D.#                      13-O-0333/Z-13-06**

**PAGE(S) \_                      SECTION(S) \_**

**PARAGRAPH(S)\_**

**AMENDS THE LEGISLATION BY ADDING THE FOLLOWING  
CONDITION:**

- (1) THE APPLICANT WILL REQUEST AND SUPPORT INTRODUCTION  
OF AN ORDINANCE REQUIRING THAT TRAFFIC IMPACT FEES  
PAID AS A RESULT OF ANY FUTURE DEVELOPMENT ON THE  
PROJECT BE DIRECTED TO TRAFFIC IMPROVEMENTS IN THE  
IMMEDIATE AREA OF THE PROJECT.**

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City Council  
Atlanta, Georgia

**13-0-0333**

AN ORDINANCE  
BY: ZONING COMMITTEE

**Z-13-06**  
Date Filed: 2-12-13

BE IT ORDAINED BY THE COUNCIL OF THE CITY OF ATLANTA, GEORGIA, as follows:

SECTION 1. That the Zoning Ordinance of the City of Atlanta be amended, and the maps established in connection therewith be changed so that the following property located at **3463 Piedmont Road, N.E. (aka 3475 Piedmont Road, N.E.)** be changed from the O-I-C (Office Institutional-Conditional) District to the Special Public Interest 12-Subarea 1 (Buckhead/Lenox Stations) District, to wit:

ALL THAT TRACT or parcel of land lying in Land Lot 17, 17<sup>th</sup> District, Fulton County, Georgia, being more particularly described by the attached legal description and/or survey.

SECTION 2. If this amendment is approved under the provisions of Section 16-02.003 of the Zoning Ordinance of the City of Atlanta, entitled, "Conditional Development", as identified by the use of the suffice "C" after the district designation in Section 1 above, the Director, Bureau of Buildings, shall issue a building permit for the development of the above-described property only in compliance with the attached conditions. Any conditions hereby approved (including any conditional site plan) do not authorize the violation of any district regulations. District regulation variances can be approved only by application to the Board of Zoning Adjustment.

SECTION 3. That the maps referred to, now on file in the Office of the Municipal Clerk, be changed to conform with the terms of this ordinance.

SECTION 4. That all ordinances or parts of ordinances in conflict with the terms of this ordinance are hereby repealed.

**EXHIBIT "A"****Legal Description**

All that tract or parcel of land lying and being in Land Lot 62 of the 17th District, Fulton County, Georgia, containing 11.413 acres and being more particularly described as follows:

TO FIND THE TRUE POINT OF BEGINNING, commence at a point located at the intersection of the extended westernmost right-of-way line of Buckhead Loop (f/k/a Ivy Road, varying right-of-way), with the extended northernmost right-of-way line of Piedmont Road (varying right-of-way); thence along the extended northernmost right-of-way line of Piedmont Road North  $61^{\circ} 58' 20''$  West, a distance of 48.78 feet to a 1/2" rebar set and the TRUE POINT OF BEGINNING; FROM SAID TRUE POINT OF BEGINNING AS THUS ESTABLISHED, along said right-of-way line in a generally northwestern direction the following courses and distances: North  $61^{\circ} 58' 20''$  West, a distance of 339.39 feet to a point; North  $61^{\circ} 55' 55''$  West, a distance of 109.27 feet to a point on the beginning of a curve tangent to said line; along a curve to the left an arc distance of 60.74 feet, said curve having a radius of 1220.02 feet and being subtended by a chord bearing North  $63^{\circ} 21' 30''$  West a distance of 60.74 feet, to a point; North  $64^{\circ} 47' 05''$  West tangent to said curve, a distance of 88.85 feet to a point; North  $57^{\circ} 29' 51''$  West, a distance of 37.34 feet to a point; thence departing said right-of-way line North  $31^{\circ} 48' 15''$  East along property N/F Piedmont Ivy Associates, LLC, a distance of 766.75 feet to a 1/2" rebar set; thence South  $56^{\circ} 55' 54''$  East along property N/F Glenridge Place - Phase III, a distance of 100.13 feet to a 7/8" iron rod found; thence South  $56^{\circ} 13' 31''$  East, a distance of 50.59 feet to a 7/8" iron rod found; thence South  $55^{\circ} 51' 00''$  East, a distance of 50.85 feet to a 1" rebar found; thence South  $55^{\circ} 59' 08''$  East, a distance of 103.28 feet to a 1/2" rebar set in concrete; thence South  $46^{\circ} 16' 36''$  East, a distance of 464.64 feet to a 1/2" rebar set on the westernmost right-of-way of Buckhead Loop (f/k/a Ivy Road); thence along the westernmost right-of-way line of Buckhead Loop in a generally southwestern direction the following courses and distances: South  $43^{\circ} 06' 03''$  West, a distance of 28.55 feet to a point; North  $55^{\circ} 11' 22''$  West, a distance of 38.32 feet; South  $43^{\circ} 06' 03''$  West a distance of 36.37 feet to a point; South  $18^{\circ} 33' 45''$  West, a distance of 57.19 feet; South  $46^{\circ} 53' 57''$  East, a distance of 14.17 feet to a point; thence run South  $43^{\circ} 06' 03''$  West, a distance of 190.56 feet to a point on the beginning of a curve tangent to said line; along a curve to the left an arc distance of 259.50 feet, said curve having a radius of 1048.93 feet and being subtended by a chord bearing South  $36^{\circ} 00' 48''$  West a distance of 258.84 feet to a 1/2" rebar set at the easternmost end of the mitered right-of-way line of Buckhead Loop and Piedmont Road; thence along said miter South  $73^{\circ} 21' 08''$  West a distance of 68.12 feet to a 1/2" rebar set, and the TRUE POINT OF BEGINNING.



RCS# 2581  
3/04/13  
3:00 PM

Atlanta City Council

MULTIPLE 13-O-0330/13-O-0331/13-O-0332/13-O-0333  
13-O-0335/13-O-0336 AND 13-O-0337  
REFER ZRB/ZC

YEAS: 14  
NAYS: 0  
ABSTENTIONS: 0  
NOT VOTING: 2  
EXCUSED: 0  
ABSENT 0

Y Smith	Y Archibong	Y Moore	NV Bond
Y Hall	Y Wan	Y Martin	Y Watson
Y Young	Y Shook	Y Bottoms	Y Willis
Y Winslow	Y Adrean	Y Sheperd	NV Mitchell

MULTIPLE

RCS# 2929  
8/19/13  
3:29 PM

Atlanta City Council

13-O-0333

REZONE 3475 PIEDMONT RD FROM O-1-C TO  
SPI-12; Z-13-06; NPU-B; CD-7  
ADOPT AS AMNDED

YEAS: 13  
NAYS: 0  
ABSTENTIONS: 0  
NOT VOTING: 3  
EXCUSED: 0  
ABSENT 0

Y Smith	Y Archibong	Y Moore	Y Bond
NV Hall	Y Wan	Y Martin	NV Watson
Y Young	Y Shook	Y Bottoms	Y Willis
Y Winslow	Y Adrean	Y Sheperd	NV Mitchell

13-O-0333

RCS# 2928  
8/19/13  
3:29 PM

Atlanta City Council

13-O-0333

REZONE 3475 PIEDMONT RD FROM O-1-C TO  
SPI-12; Z-13-06; NPU-B; CD-7  
AMEND/SHOOK

YEAS: 13  
NAYS: 0  
ABSTENTIONS: 0  
NOT VOTING: 3  
EXCUSED: 0  
ABSENT 0

Y Smith	Y Archibong	Y Moore	Y Bond
NV Hall	Y Wan	Y Martin	NV Watson
Y Young	Y Shook	Y Bottoms	Y Willis
Y Winslow	Y Adrean	Y Sheperd	NV Mitchell

13-O-0333

13-0-0333

(Do Not Write Above This Line)

AN ORDINANCE Z-13-06  
BY: ZONING COMMITTEE

An Ordinance to rezone from the O-I-C (Office Institutional-Conditional) District to the Special Public Interest 12-Subarea 1 (Buckhead/Lenox Stations) District, property located at **3463 Piedmont Road, N.E. (aka 3475 Piedmont Road, N.E.)** fronting approximately 575 feet on the north side of Piedmont Road at the northwest corner of Lenox Road (the Loop). Depth: varies. Area: approximately 11.41 acres. Land Lot 17, 17<sup>th</sup> District, Fulton County, Georgia.

OWNER: CP PROMINENCE LLC  
AND SGCP PROMINENCE LAND LLC  
APPLICANT: SGCP PROMINENCE LAND LLC  
NPU B

COUNCIL DISTRICT 7

*As Amended*

- ☐ CONSENT REFER
- ☒ REGULAR REPORT REFER
- ☐ ADVERTISE & REFER
- ☐ 1st ADOPT 2nd READ & REFER
- ☐ PERSONAL PAPER REFER

Date Referred

3/4/13

Referred To:

ZRB Zoning

Date Referred

Referred To:

Date Referred

Referred To:

Committee Date *Young*  
Chair *Shackelford*  
Referred To

☒ Zoning Committee

Date *3/31/13*  
Chair *Shackelford*

Action *Adopt*  
Fav, Adv, Hold (see rev. side)  
Other

Members

*Robert Smith*  
*Shackelford*

Refer To

Committee

Date

Chair

Action

Fav, Adv, Hold (see rev. side)  
Other

Members

ADOPTED BY

AUG 19 2013

COUNCIL

Refer To

Committee

Date

Chair

Action

Fav, Adv, Hold (see rev. side)  
Other

Members

Refer To

Committee

Date

Chair

Action

Fav, Adv, Hold (see rev. side)  
Other

Members

FINAL COUNCIL ACTION

☐ 2nd ☐ 1st & 2nd ☐ 3rd

Readings

☐ Consent ☐ V Vote ☒ RC Vote

CERTIFIED

AUG 19 2013

*Robert Smith*

**RECEIVED**  
AUG 20 2013  
MAYOR'S CLERK

*Robert Smith*  
MAYOR'S CLERK

MAYOR'S ACTION

APPROVED

AUG 28 2013

WITHOUT SIGNATURE  
BY OPERATION OF LAW

2568